

THURSDAY, MAY 15, 1997

FORTY-THIRD LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Dr. E. Claude Gardner.

Representative Walley led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 97

Representatives present were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Cole (Carter); personal reasons

Representative Turner (Hamilton); business reasons

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Resolution No. 80: Rep(s). Ferguson and Bowers as prime sponsor(s).

House Joint Resolution No. 286: Rep(s). Boyer as prime sponsor(s).

House Bill No. 442: Rep(s). Fraley as prime sponsor(s).

House Bill No. 1064: Rep(s). Brooks as prime sponsor(s).

House Bill No. 1328: Rep(s). Beavers and Brooks as prime sponsor(s).

House Bill No. 1909: Rep(s). McMillan as prime sponsor(s).

MESSAGE FROM THE SENATE

May 15, 1997

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 275 and 276; both adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 275 -- Memorials, Academic Achievement - Rebecca Ann Sinclair, Valedictorian, Greenbrier High School. by *Graves.

Senate Joint Resolution No. 276 -- Memorials, Academic Achievement - Sabrina Phillips, Salutatorian, Gallatin High School. by *Graves.

PERSONAL ORDERS

RECOGNITION IN THE WELL

Rep. Jackson was recognized in the Well to introduce and honor Jerry Thompson.

RULES SUSPENDED

Rep. Jackson moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 142 out of order, which motion prevailed.

House Joint Resolution No. 142 -- Memorials, Professional Achievement - Jerry Thompson, "The Tennessean." by *Jackson, *Ridgeway, *Davidson.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Jackson, with the request that all members voting aye be added as sponsors, the resolution was adopted by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

***House Resolution No. 81** -- General Assembly, Directed Studies - Requests comptroller's division of state audit to conduct performance evaluation of state programs and policies designed to prepare teenage foster children for transition to adulthood and self-sufficiency. by *Armstrong, *Brown, *Towns, *Cooper B, *Langster, *DeBerry J, *Bowers, *Jones U (Shelby), *DeBerry L, *Pruitt, *Miller L, *Turner (Shelby), *Brooks.

Children & Family Affairs Committee

***House Resolution No. 82** -- General Assembly, Directed Studies - Requests comptroller's division of state audit to conduct performance evaluation of state programs and policies to recruit and retain adequate numbers of African American teachers and administrators within public education system. by *Armstrong, *Brown, *Towns, *Cooper B, *Langster, *DeBerry J, *Bowers, *Jones U (Shelby), *DeBerry L, *Pruitt, *Miller L, *Turner (Shelby), *Brooks.

Education Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for May 19, 1997:

House Joint Resolution No. 306 -- Memorials, Sports - 1996-1997 Midway Elementary School girls' basketball team. by *Goins.

House Joint Resolution No. 307 -- Memorials, Academic Achievement - Crystal Baker, 1997 Union County spelling bee winner. by *Goins.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for May 19, 1997:

Senate Joint Resolution No. 275 -- Memorials, Academic Achievement - Rebecca Ann Sinclair, Valedictorian, Greenbrier High School. by *Graves.

Senate Joint Resolution No. 276 -- Memorials, Academic Achievement - Sabrina Phillips, Salutatorian, Gallatin High School. by *Graves.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 2011 -- Hawkins County - Subject to local approval, authorizes advisory referendum on zoning. by *Givens.

House Bill No. 2012 -- Giles County - Subject to local approval, authorizes appointment and compensation of part-time clerk of grand jury to handle administrative duties but not be part of grand jury deliberations. by *Fowlkes. (SB2019 by *Cooper)

House Bill No. 2013 -- Nolensville - Subject to local approval, authorizes levy and collection of privilege tax on new development to defray fiscal impact of providing services related to development. by *Sargent.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 518** -- Taxes, Sales - Removes sales tax liability for retail purchases of certain food staples bought during October 1997; requires commissioners of revenue, health and human services to report on overall impact of such temporary sales tax exemption. Amends TCA Title 67, Chapter 6. by *Rochelle. (HB1568)

***Senate Bill No. 726** -- Taxes, Sales - Includes pre-paid telephone calling cards in definition of "tangible personal property" for sales tax law Amends TCA Section 67-6-102(28). by *Dixon. (HB1069)

***Senate Bill No. 878** -- Dentists - Requires insurance coverage for anesthesia, hospital and physician costs associated with inpatient/outpatient dental procedures covered under contract or policy; benefit subject to same deductibles or co-insurance established for all other covered benefits; prohibits private third-party payors from reducing or eliminating coverage. Amends TCA Title 56. by *Jordan. (HB785)

THURSDAY, MAY 15, 1997 -- FORTY-THIRD LEGISLATIVE DAY

Senate Bill No. 1034 -- Gas, Petroleum Products, Volatile Oils - Authorizes gas acquisition corporations to be joined by municipalities, utility districts and gas authorities Amends TCA Title 7, Chapter 39, Part 3. by *Gilbert. (*HB596)

***Senate Bill No. 1213** -- Highways, Roads and Bridges - Directs commissioner of transportation to submit to U. S. department of transportation preferred interstate route for high priority corridor through portion of Shelby County in relative proximity to U.S. 51 and runs through Zip Code 38127. Amends TCA Title 54. by *Kyle. (HB1119)

***Senate Bill No. 1274** -- Abortion - Bans partial-birth abortions; provides same penalty as for criminal abortions which is Class C felony; provides civil remedies. Amends TCA Title 39, Chapter 15, Part 2. by *Jordan, *Ramsey, *Carter, *Williams, *Koella, *Atchley, *Henry, *Davis L, *Burks, *Person, *Fowler, *Haun, *Cooper, *Miller J, *Crowe, *Elsea. (HB766)

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 2002 -- Tipton County -- Local Bill Held on House Desk

House Bill No. 2003 -- Henry County -- Local Bill Held on House Desk

House Bill No. 2004 -- School Districts, Special -- Local Bill Held on House Desk

House Bill No. 2005 -- Kenton -- Local Bill Held on House Desk

House Bill No. 2006 -- Kenton -- Local Bill Held on House Desk

House Bill No. 2007 -- Fayette County -- Local Bill Held on House Desk

House Bill No. 2008 -- Johnson City -- Local Bill Held on House Desk

House Bill No. 2009 -- Sullivan County -- Local Bill Held on House Desk

House Bill No. 2010 -- Anderson County -- Local Bill Held on House Desk

REPORTS FROM STANDING COMMITTEES

The committees that met on **May 15, 1997**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **May 19, 1997**: House Bill(s) No(s).1307, 425, 1069, 740, 1573, 894, 667, 47, 48, 787, 1731, 1364, 1792, 988, 474, 1647, 557 and 1344.

THURSDAY, MAY 15, 1997 -- FORTY-THIRD LEGISLATIVE DAY

The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **May 19, 1997**: House Bill(s) No(s). 1722, 1945, 1593, 1206, 1648 and Senate Joint Resolution(s) No(s).154.

CONSENT CALENDAR

***House Bill No. 312** -- Local Education Agency - Removes requirement of high school diploma or GED for currently serving county school board members. Amends TCA Section 49-2-202. by *Winningham. (SB871 by *Davis L)

***House Bill No. 320** -- County Officers - Removes requirement that constable not have been separated or discharged from armed forces with other than honorable discharge if person has served as constable for ten or more years in Scott County. Amends TCA Section 8-10-102. by *Winningham. (SB863 by *Davis L)

***House Bill No. 390** -- Driver Licenses - Deletes requirement that medically impaired person qualifying for commercial driver license be regularly employed driver of commercial motor vehicle for three continuous years prior to April 30, 1990. Amends TCA Title 55, Chapter 40. by *Windle. (SB855 by *Davis L)

House Bill No. 480 -- State Government - Allows holder of personal property not yet abandoned to contract to determine whereabouts of owner, but no contract costs may be charged to property or owner. Amends TCA Title 66, Chapter 29, Part 1. by *White, *Fitzhugh. (*SB310 by *Womack)

***House Bill No. 1239** -- Local Education Agency - Requires all schools (public and private) to provide basic student information at start of school year to school system where school located and to school system in which student lives, if different. Amends TCA Section 49-6-3007. by *Whitson, *Davis R, *Patton, *Haley, *Hargett, *Pleasant, *McDaniel, *Stamps, *Walley, *Ford S, *Kerr, *Beavers, *Kent, *Bird, *Clabough, *McKee, *Newton, *Scroggs, *Walker, *McAfee, *Mumpower, *Roach, *Boyer. (SB1666 by *Crowe, *Elsa, *McNally, *Atchley, *Person, *Gilbert, *Koella, *Haun, *Carter, *Ramsey, *Jordan, *Miller J)

House Bill No. 1435 -- Law Enforcement - Authorizes campus security officers to enter into written agreements with other law enforcement agencies for mutual assistance when necessary to act outside statutory jurisdiction. Amends TCA Title 8; Title 38 and Title 49. by *Patton, *Ford S, *Davis R. (*SB1648 by *Crowe)

House Bill No. 1521 -- Education - Expands list of prohibited substances for possession of which student may be expelled to include prescription drug or any other controlled substance. Amends TCA Section 49-6-4018. by *Winningham. (*SB1341 by *Cooper)

House Bill No. 1659 -- Osteopathy - Prohibits boards, commissions, health care facilities, health and medical corporations and insurance companies from discriminating against eligible osteopathic physicians in certain circumstances. Amends TCA Section 63-9-106. by *Armstrong. (*SB736 by *Kyle)

THURSDAY, MAY 15, 1997 -- FORTY-THIRD LEGISLATIVE DAY

On motion, House Bill No. 1659 was made to conform with **Senate Bill No. 736**; the Senate Bill was substituted for the House Bill.

***House Bill No. 1680** -- Alcoholic Offenses - Increases criminal penalties for beer sales to minors Amends TCA Title 57, Chapter 5, Part 3. by *Burchett. (SB1822 by *Gilbert)

House Resolution No. 69 -- Naming and Designating - National Nursing Home Week, May 11-17, 1997. by *Ferguson.

House Resolution No. 78 -- Memorials, Interns - Jason Mullins. by *Westmoreland, *Sargent, *Mumpower.

House Resolution No. 80 -- Memorials, Interns - Shelley Ann English. by *Givens.

House Joint Resolution No. 299 -- Memorials, Personal Achievement - Alan Curtis Sefton, Eagle Scout. by *Pleasant, *Hargett, *Haley.

House Joint Resolution No. 302 -- Memorials, Public Service - John Franks Bradley, Superintendent of the Milan and Martin Experiment Stations. by *Pinion, *Phelan.

House Joint Resolution No. 303 -- Memorials, Public Service - Herbert Lee. by *Eckles, *Hood.

House Joint Resolution No. 304 -- Memorials, Public Service - Ralph Vaughn. by *Eckles, *Hood.

House Joint Resolution No. 305 -- Memorials, Retirement - Bill Jeans. by *Robinson, *Fowlkes, *White, *Buck, *Eckles, *McDonald, *Ridgeway, *Turner (Shelby), *Head, *Tidwell, *Davis R, *Beavers, *Hood, *Hassell, *Sharp, *Burchett, *Fraley, *Dunn, *Hicks, *Haley, *Stamps, *Newton.

Senate Joint Resolution No. 245 -- Memorials, Interns - Alice Marie Farr. by *Person, *Leatherwood, *Cohen.

Senate Joint Resolution No. 249 -- Memorials, Professional Achievement - 2nd Lieutenant Allen L. Stewart. by *Haynes.

Senate Joint Resolution No. 268 -- Memorials, Academic Achievement - Elizabeth Fentress, Valedictorian, Greenbrier High School. by *Graves.

Senate Joint Resolution No. 269 -- Memorials, Academic Achievement - Lori Beth Bennett, Salutatorian, Springfield High School. by *Graves.

Senate Joint Resolution No. 270 -- Memorials, Academic Achievement - Jessica Ruth Douthitt, Valedictorian, Springfield High School. by *Graves.

OBJECTION -- CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

House Bill No. 480: by Rep. Brooks

House Bill No. 1521: by Rep. Eckles

House Bill No. 1680: by Rep. Miller

Under the rules, House Bill No: 480, 1521 and 1680 was/were placed at the foot of the calendar for May 19, 1997.

Rep. Head moved that all members voting aye on House Joint Resolution No. 305 be added as prime sponsors, which motion prevailed.

Pursuant to **Rule No. 50**, Rep. Fitzhugh moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes 95
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odum, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

REGULAR CALENDAR

***House Bill No. 1519** -- State Employees - Revises provisions for public and university employee insurance. Amends TCA Title 27, Chapter 8. by *Rhinehart. (SB1714 by *Atchley)

Further consideration of House Bill No. 1519, previously considered on May 1, 1997, and May 8, 1997, and reset to today's Calendar.

On motion, House Bill No. 1519 was made to conform with **Senate Bill No. 1714**; the Senate Bill was substituted for the House Bill.

Rep. Rhinehart moved that Senate Bill No. 1714 be passed on third and final consideration.

On motion, Rep. Rhinehart withdrew Council on Pensions and Insurance Committee Amendment No. 1.

Rep. Davidson moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 1714 by adding the following as a new section, to be appropriately numbered:

SECTION _____. Tennessee Code Annotated, Section 8-27-303, is amended by adding a new subsection which shall read as follows:

Any local education agency receiving funds from the department of education through the basic education program shall utilize the portion of the premium specified in the general appropriation act for that period as partial payment of the premium collected on behalf of each eligible employee participating in the health insurance coverage authorized in Section 8-27-302(a) or Section 8-27-303(a)(2). Such amounts shall be certified to the commissioner of education and the superintendent of each local education agency by the local education insurance committee each fiscal year.

On motion, Amendment No. 2 was adopted.

Rep. Rhinehart moved that Amendment No. 3 be withdrawn, which motion prevailed.

Rep. Rhinehart moved that **Senate Bill No. 1714**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	96
Noes	0
Present and not voting.....	1

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt,

THURSDAY, MAY 15, 1997 -- FORTY-THIRD LEGISLATIVE DAY

Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

Representatives present and not voting were: Brooks -- 1.

A motion to reconsider was tabled.

House Bill No. 889 -- Traffic Safety - Authorizes youth buses of certain organizations to stop traffic while transporting children. Amends TCA Title 55, Chapter 8. by *Dunn, *Burchett, *Roach. (*SB500 by *Atchley, *McNally, *Gilbert, *Crowe)

Further consideration of House Bill No. 889, previously considered on May 8, 1997, and reset to today's Calendar.

Rep. Dunn moved that House Bill No(s). 889 be reset for the Regular Calendar on Wednesday, May 21, 1997, which motion prevailed.

***House Bill No. 442** -- Taxes, Privilege - Imposes taxes in same amount and manner as any repealed federal taxes, revenue to go to highway trust fund Amends TCA Title 67. by *Fowlkes, *Robinson, *Rinks, *Davis R, *Huskey, *Kent, *Haley, *Turner (Shelby), *Jones U (Shelby). (SB544 by *Haun, *Haynes, *Elsea, *Henry)

Further consideration of House Bill No. 442, previously considered on May 8, 1997, and reset to today's Calendar.

Rep. Fowlkes requested that House Bill No. 442 be moved down 7 places on the Calendar.

***House Bill No. 1755** -- Education, Higher - Allows retired state employees with 30 or more years of service to audit courses at state institutions of higher education without charge. Amends TCA Section 49-7-113. by *Patton. (SB1901 by *Crowe)

Rep. Patton moved that House Bill No. 1755 be passed on third and final consideration.

Rep. Davidson moved adoption of Education Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1755 by redesignating Section 2 of the printed bill to be Section 3, and by adding a new Section 2, as follows:

SECTION 2. The privilege of auditing classes provided for by this act may be limited or denied by the college or university on an individual classroom basis according to space availability.

On motion, Amendment No. 1 was adopted.

Rep. Patton moved that **House Bill No. 1755**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 95
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Bill No. 1673 -- Taxes, Business - Creates tax credit for transfers of certain personal properties to governmental units or instrumentalities. Amends TCA Title 67, Chapter 4. by *Mumpower, *Godsey, *Westmoreland. (*SB1758 by *Ramsey)

Rep. Mumpower moved that House Bill No(s). 1673 be reset for the Regular Calendar on Wednesday, May 21, 1997, which motion prevailed.

House Bill No. 1839 -- Aged Persons - Establishes respite care program in Gibson County. by *Phelan. (*SB1815 by *Carter)

Rep. Phelan moved that **House Bill No. 1839** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 97
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald,

THURSDAY, MAY 15, 1997 -- FORTY-THIRD LEGISLATIVE DAY

McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

House Bill No. 1591 -- Privacy, Confidentiality - Makes confidential communications related to certain mental health intervention techniques using group setting. Amends TCA Title 10; Title 33 and Title 63. by *Kent. (*SB1718 by *Kyle)

On motion, House Bill No. 1591 was made to conform with **Senate Bill No. 1718**; the Senate Bill was substituted for the House Bill.

Rep. Kent moved that Senate Bill No. 1718 be passed on third and final consideration.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 1.

Rep. Kent moved that **Senate Bill No. 1718** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 97
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

House Bill No. 409 -- Correction, Dept. of - Directs department to have each inmate undergo HIV testing during classification Amends TCA Title 41, Chapter 21, Part 1. by *Bowers, *Jones U (Shelby), *Miller L, *Cooper B, *Brooks, *Jones, S.. (*SB415 by *Dixon)

THURSDAY, MAY 15, 1997 -- FORTY-THIRD LEGISLATIVE DAY

Further consideration of House Bill No. 409, previously considered on April 3, 1997, April 7, 1997, April 10, 1997, and April 17, 1997, at which time the Bill was re-referred to the Finance, Ways & Means Committee pursuant to **Rule No. 72**.

On motion, House Bill No. 409 was made to conform with **Senate Bill No. 415**; the Senate Bill was substituted for the House Bill.

Rep. Bowers moved that Senate Bill No. 415 be passed on third and final consideration.

On motion, Rep. U. Jones withdrew State & Local Government Committee Amendment No. 2 as House Amendment No. 1.

Rep. Jones U. (Shelby) moved adoption of State and Local Government Committee Amendment No. 1 as House Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 415 by deleting in its entirety the first and second sentences of the amendatory language of Section 1, subdivision (5)(A), and by substituting instead the following language:

Have the inmate undergo HIV testing, with or without the inmate's consent, through a licensed medical laboratory, unless the inmate has been tested pursuant to Section 39-13-521 before reception. Unless previously tested, the inmate shall undergo such HIV testing and shall also undergo a confirmatory test and be referred to appropriate counseling when necessary.

On motion, Amendment No. 2 was adopted.

Rep. Bowers moved adoption of Amendment No. 3 as follows:

Amendment No. 3

AMEND Senate Bill No. 415 by adding at the end of the amendatory language of Section 1 the following new subdivision:

(E) The provisions of this subsection (5) shall only apply to an inmate who is less than twenty-one (21) years of age.

On motion, Amendment No. 3 was adopted.

Rep. Bowers moved to reconsider action in passing Amendment No. 3.

Rep. Bowers moved to withdraw Amendment No. 3, which motion prevailed.

On motion, Rep. Kisber withdrew Finance, Ways & Means Committee Amendment No. 1 as House Amendment No. 4.

THURSDAY, MAY 15, 1997 -- FORTY-THIRD LEGISLATIVE DAY

Rep. Bowers moved that **Senate Bill No. 415**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....96
Noes.....1

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

Representatives voting no were: Goins -- 1.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from no to aye on House Bill No. 409 and have this statement entered in the Journal: Rep(s). Goins.

REGULAR CALENDAR, CONTINUED

House Bill No. 412 -- Health - Enacts "Tennessee HIV Pregnancy Screening Act.". by *Bowers, *Jones U (Shelby), *Miller L, *Cooper B, *Brooks, *Pruitt. (*SB291 by *Harper)

On motion, House Bill No. 412 was made to conform with **Senate Bill No. 291**; the Senate Bill was substituted for the House Bill.

Rep. Bowers moved that Senate Bill No. 291 be passed on third and final consideration, which motion prevailed by the following vote:

Rep. Pruitt moved adoption of Health and Human Resources Committee Amendment No. 1 as follows:
Amendment No. 1

AMEND Senate Bill No. 291 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. This act shall be known and cited as the "Tennessee HIV Pregnancy Screening Act of 1997."

SECTION 2. The purpose of this act is to require all providers of health care services who assume responsibility for the prenatal care of pregnant women during gestation to counsel pregnant women regarding HIV infections and, except in cases where women refuse testing, to test these women for human immunodeficiency virus (HIV) and to provide counseling for those women who test positive.

SECTION 3.

(a) A provider of health care services who assumes responsibility for the prenatal care of a pregnant woman during gestation shall counsel each pregnant woman in his or her care, as early as possible in the course of the pregnancy, with written material or videos that explain and provide information on:

- (1) The nature of the human immunodeficiency virus (HIV);
 - (2) The methods by which HIV infection can be transmitted;
 - (3) The medical treatment available to treat HIV infection if diagnosed early;
 - (4) The reduced rate of transmission of HIV to a fetus if an HIV-infected pregnant woman receives treatment for the HIV infection;
 - (5) The advantages of being tested for HIV infection as early as possible in the course of the pregnancy;
 - (6) The reliability of tests for HIV infection; and
 - (7) The confidentiality of test results and the woman's right to refuse HIV testing;
- (b) The department of health shall make all educational and counseling materials required under subsection (a) available to providers responsible for the counseling.
- (c) After she has received the counseling and information specified in subsection (a), a pregnant woman under the care of a health care provider shall sign a form developed by the department of health indicating that she has been informed and indicating her consent or refusal to the HIV testing.

(d) A health care provider shall arrange for each pregnant woman under his or her care to be tested for HIV as early as possible in the course of the pregnancy, unless the woman has refused testing in writing on the form described in subsection (c).

(e) A pregnant woman who presents herself for delivery and who has not been tested for HIV during the course of the pregnancy shall be given the counseling and information specified in subsection (a) as soon as may be medically appropriate and, unless she refuses in writing after receiving that counseling and information, shall be tested for HIV as soon as may be medically appropriate.

(f) All HIV testing performed under this act shall be done in a confidential manner and the results of the testing may be disclosed only as provided by law.

(g) After receiving a positive HIV test result from a testing laboratory, the health care provider shall arrange for a counselor to be present when the health care provider discloses the positive test result to the woman tested under this act. The counselor shall:

(1) Explain the meaning and reliability of the test results and the availability of additional or confirmatory testing, if appropriate;

(2) Counsel the woman to obtain appropriate medical treatment for herself and her baby and inform her of the increased risks to her baby if she fails to obtain appropriate treatment;

(3) Make available information concerning the available medical interventions to prevent onset of illness in the mother and to prevent transmission of HIV to her children; and

(4) Arrange for additional counseling in order to assist the woman in obtaining access to a comprehensive clinical care facility that can meet her needs.

SECTION 4. (a) Each health care provider having a pregnant woman under his or her care shall report to the department of health on a monthly basis the total number of women under his or her care who were tested for HIV under Section 3 of this act and the total number of such women who tested positive. The reports shall be made on forms to be prescribed by the department. Each month the department shall compile the reports and publish the total number of women tested and the total number of women testing positive in the previous month for the entire state and for each county.

(b) The department of health shall make available to the appropriate health care providers in this state the written and video materials, forms, and counseling referred to in this act.

SECTION 5. The department of health may promulgate rules in accordance with Tennessee Code Annotated, Title 4, Chapter 5, to implement the provisions of this act.

SECTION 6. For the purpose of promulgating rules, the provisions of this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect January 1, 1998, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

On motion, Rep. Pruitt withdrew Health & Human Resources Committee Amendment No. 2.

Rep. Bowers moved that **Senate Bill No. 291**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

House Bill No. 990 -- State Employees - Authorizes receiving agency to pay reasonable travel expenses of employee assigned there. Amends TCA Title 8. by *Bowers. (*SB1488 by *Dixon)

Rep. Bowers moved that House Bill No. 990 be passed on third and final consideration.

Rep. U. Jones moved adoption of State & Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 990 by deleting in its entirety all the language following the enacting clause, and by substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Section 8-50-403(b), is amended by deleting the first sentence in its entirety.

SECTION 2. This act shall take effect upon becoming law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Bowers moved that **House Bill No. 990**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	96
Noes	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Dyer), Cooper, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

***House Bill No. 442** -- Taxes, Privilege - Imposes taxes in same amount and manner as any repealed federal taxes, revenue to go to highway trust fund Amends TCA Title 67. by *Fowlkes, *Robinson, *Rinks, *Davis R, *Huskey, *Kent, *Haley, *Turner (Shelby), *Jones U (Shelby). (SB544 by *Haun, *Haynes, *Elsea, *Henry)

Further consideration of House Bill No. 442, previously considered on today's Calendar.

Rep. Fowlkes requested that House Bill No. 442 be moved to the heel of the Calendar.

***House Bill No. 211** -- Local Education Agency - Requires commissioner of education to distribute guidelines to boards of local education agencies concerning selection and role of student advisory members by August 1, 1997. Amends TCA Section 49-2-202. by *Cooper B. (SB402 by *Harper)

Rep. Cooper moved that House Bill No. 211 be passed on third and final consideration.

Rep. Davidson moved adoption of Education Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 211 by deleting Section 1 of the printed bill and substituting the following:

WHEREAS, Chapter 638 of the Public Acts of 1996 provided for the placement of up to four (4) advisory student members on each local board of education; and

WHEREAS, this act was optional for local boards of education so that some have advisory student members and others do not; and

WHEREAS, some boards may not have placed student members on boards for lack of clear direction or guidelines; and

WHEREAS, it would be desirable to have a high rate of cooperation by local boards and some change in the statute may be desirable to further implementation of the law; now, therefore,

SECTION 1. The Committee on Education of the House of Representatives is requested to study the implementation of Chapter 638 of the Public Acts of 1997 concerning advisory student members on local education boards, and to suggest any necessary changes to encourage full involvement by local boards pursuant to this legislation. The chair of the House Education Committee may form a subcommittee to conduct this study, direct the full committee to study it, or redirect the study to the Joint Oversight Committee on Education, as he sees fit.

CHAIR TO DEBERRY

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker pro tempore.

REGULAR CALENDAR, CONTINUED

On motion, Amendment No. 1 was adopted.

THURSDAY, MAY 15, 1997 -- FORTY-THIRD LEGISLATIVE DAY

Rep. Cooper moved that **House Bill No. 211**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 94
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

***House Bill No. 1485** -- County Government - Upon adoption of resolution by county legislative body, requires trustee to accept property taxes after July 10 but prior to first Monday in October, after tax rates are set, tax rolls received and receipts are prepared. Amends TCA Title 5, Chapter 22 and Title 67, Chapter 1. by *Fowlkes. (SB1736 by *Jordan)

On motion, House Bill No. 1485 was made to conform with **Senate Bill No. 1736**; the Senate Bill was substituted for the House Bill.

Rep. Fowlkes moved that Senate Bill No. 1736 be passed on third and final consideration.

On motion, Rep. U. Jones withdrew State & Local Government Committee Amendment No. 1.

Rep. Fowlkes moved that **Senate Bill No. 1736** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 96
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp,

THURSDAY, MAY 15, 1997 -- FORTY-THIRD LEGISLATIVE DAY

Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

House Bill No. 435 -- Charitable Institutions - Enacts "Tennessee Charitable Beneficiaries Act of 1997." Amends TCA Title 35. by *Fowlkes. (*SB430 by *Fowler)

Rep. Fowlkes requested that House Bill No. 435 be moved down 3 places on the Calendar.

House Bill No. 763 -- Criminal Procedure - Gives general sessions court concurrent jurisdiction with juvenile court to try misdemeanor cases of nonsupport and conduct preliminary hearings in felony nonsupport cases Amends TCA Title 39, Chapter 15. by *Jackson. (*SB1372 by *Rochelle)

Rep. Jackson moved that House Bill No(s). 763 be reset for the Regular Calendar on Thursday, May 22, 1997, which motion prevailed.

House Bill No. 1328 -- Mental Retardation - Requires criminal background checks on persons employed to work with or have contact with persons with developmental disabilities. Amends TCA Section 33-1-209; Section 33-1-209; Section 38-6-114 and Section 38-6-114. by *Jackson, *McMillan, *Bowers, *Odom, *DeBerry J, *Eckles, *Turner (Hamilton). (*SB913 by *Gilbert, *Cohen, *Person, *McNally, *Harper, *Williams)

On motion, House Bill No. 1328 was made to conform with **Senate Bill No. 913**; the Senate Bill was substituted for the House Bill.

Rep. Jackson moved that Senate Bill No. 913 be passed on third and final consideration.

Rep. Pruitt moved adoption of Health and Human Resources Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 913 by deleting the language "work with or have contact with" wherever it appears in subsection (c)(1) of the amendatory language of Section 1 and subsection (b) of the amendatory language of Section 2, and by substituting instead the language "have direct contact with and direct responsibility for".

AND FURTHER AMEND by adding the following language as a new paragraph to subsection (c)(1) of Section 1:

As used in this subsection and subsection (b) of Section 2 the term "organization(s)" means an organization licensed by the department of mental health and mental retardation pursuant to Tennessee Code Annotated, Title 33, Chapter 2, Part 5, which provides services to persons with developmental disabilities through contract with the division of mental retardation services or intermediate care facilities for persons with mental retardation (ICF/MR).

Rep. Jackson requested that Senate Bill No. 913 be moved to the heel of the Calendar.

House Bill No. 945 -- Utilities, Utility Districts - Enacts "Electric Utility Comprehensive Equal Power and Authority Act of 1997." Amends TCA Title 65, Chapter 25. by *Stulce. (*SB1593 by *Crutchfield)

Rep. Stulce moved that House Bill No(s). 945 be reset for the Regular Calendar on Wednesday, May 21, 1997, which motion prevailed.

House Bill No. 435 -- Charitable Institutions - Enacts "Tennessee Charitable Beneficiaries Act of 1997." Amends TCA Title 35. by *Fowlkes. (*SB430 by *Fowler)

Further consideration of House Bill No. 435, previously considered on today's Calendar.

On motion, House Bill No. 435 was made to conform with **Senate Bill No. 430**; the Senate Bill was substituted for the House Bill.

Rep. Fowlkes moved that Senate Bill No. 430 be passed on third and final consideration

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 1.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 2.

Rep. Fowlkes moved that **Senate Bill No. 430** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 96
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt,

THURSDAY, MAY 15, 1997 -- FORTY-THIRD LEGISLATIVE DAY

Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

***House Bill No. 685** -- Taxes - Clarifies that 90 day filing period for tax refund credit to dealer is 90 calendar days. Amends TCA Title 67, Chapter 6. by *Rhinehart, *Head. (SB1178 by *Rochelle)

Rep. Rhinehart requested that House Bill No. 685 be moved down 5 places on the Calendar.

House Bill No. 1154 -- Education - Includes day schools in list of educational entities relative to immunizations. Amends TCA Title 49, Chapter 6, Part 50. by *Caldwell. (*SB980 by *Ford J)

On motion, House Bill No. 1154 was made to conform with **Senate Bill No. 980**; the Senate Bill was substituted for the House Bill.

Rep. Caldwell moved that Senate Bill No. 980 be passed on third and final consideration.

On motion, Rep. Davidson withdrew Education Committee Amendment No. 1.

Rep. Caldwell moved the **Senate Bill No. 980** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

House Bill No. 1310 -- Sunset Laws - Adds human and community service delivery agencies to sunset provisions; such agencies to sunset June 30, 2000. Amends TCA Title 4, Chapter 29; Title 13, Chapter 26 and Title 71, Chapter 5. by *Turner (Shelby), *Kisber, *Bird. (*SB1183 by *Henry)

On motion, House Bill No. 1310 was made to conform with **Senate Bill No. 1183**; the Senate Bill was substituted for the House Bill.

Rep. Turner (Shelby) moved that Senate Bill No. 1183 be passed on third and final consideration.

On motion, Rep. Kernell withdrew Government Operations Committee Amendment No. 1.

Rep. Kernell moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 1183 by deleting in the amendatory language of subsection (c)(2)(A) of Section 1 the language "shall make a finding" and by substituting instead the language "shall make an evaluation".

On motion, Amendment No. 2 was adopted.

Rep. Turner (Shelby) moved that **Senate Bill No. 1183**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 96
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

House Bill No. 1274 -- Public Records - Requires county officials to provide computer access and remote electronic access to records during and after regular business hours Amends TCA Title 10, Chapter 7, Part 1. by *Chumney, *Jones, S.. (*SB811 by *Person, *Fowler)

THURSDAY, MAY 15, 1997 -- FORTY-THIRD LEGISLATIVE DAY

On motion, House Bill No. 1274 was made to conform with **Senate Bill No. 811**; the Senate Bill was substituted for the House Bill.

Rep. Chumney moved that Senate Bill No. 811 be passed on third and final consideration.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 1.

Rep. Chumney moved that **Senate Bill No. 811** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	96
Noes	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

House Bill No. 1064 -- Pensions and Retirement Benefits - Makes state pension moneys, certain retirement plan funds or assets subject to claims of domestic courts. Amends TCA Title 8, Chapter 36 and Title 26, Chapter 2. by *Chumney. (*SB765 by *Atchley)

On motion, House Bill No. 1064 was made to conform with **Senate Bill No. 765**; the Senate Bill was substituted for the House Bill.

Rep. Chumney moved that Senate Bill No. 765 be passed on third and final consideration.

On motion, Rep. Kisber withdrew Council on Pensions and Insurance Committee Amendment No. 1.

Rep. Chumney moved that **Senate Bill No. 765** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	95
Noes	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Bill No. 1909 -- Children - Requires department of education to establish pilot program in six counties on cognitive development of children based on touching the lives of children program. Amends TCA Title 49. by *Head. (*SB1846 by *Haun)

Rep. Head moved that House Bill No. 1909 be passed on third and final consideration.

Rep. Davidson moved adoption of Education Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1909 by deleting the original Section 1 in its entirety and by substituting instead the following:

SECTION 1. The department of education shall develop by regulation a pilot program for the cognitive development of children to be conducted in six (6) counties. Such program shall be based on the "Touching the Lives of Children" program implemented in the state of North Carolina. The department shall establish criteria for selection of counties to volunteer to participate in the pilot program. Such criteria shall include the requirement that a group of volunteers teach the program and that the application from the county include information on the volunteer group which will teach the program. No grant made for such pilot programs shall exceed the sum of eight thousand dollars (\$8,000). The department shall report no later than February 15, 1998, to the education committees of the senate and house of representatives on the pilot program and whether or not it recommends expanding, continuing or terminating the program.

On motion, Amendment No. 1 was adopted.

Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 1 as House Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 1909 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. The provisions of this act shall not be construed to be an appropriation of funds and no funds shall be obligated or expended pursuant to this act unless such funds are specifically appropriated by the general appropriations act.

On motion, Amendment No. 2 was adopted.

Rep. Givens moved adoption of Amendment No. 3 as follows:

Amendment No. 3

AMEND House Bill No. 1909 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. No more than two (2) pilot programs established pursuant to this act shall be located in any grand division.

On motion, Amendment No. 3 was adopted.

Rep. Head moved that **House Bill No. 1909**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

***House Bill No. 685** -- Taxes - Clarifies that 90 day filing period for tax refund credit to dealer is 90 calendar days. Amends TCA Title 67, Chapter 6. by *Rhinehart, *Head. (SB1178 by *Rochelle)

Further consideration of House Bill No. 685, previously considered on today's Calendar.

Rep. Head moved that House Bill No. 685 be passed on third and final consideration.

Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 685 by deleting all language after the enacting clause and by substituting instead the following:

Section 1. Tennessee Code Annotated, Section 67-6-102(25), is amended by deleting the words "and provided further" in the last proviso and by substituting instead the word "provided".

Section 2. Tennessee Code Annotated, Section 67-6-102(25), is amended by adding the following language at the end of the subsection:

and provided further, that "sales price" does not include federal excise tax on diesel fuel purchased for off-road use as provided in Tennessee Code Annotated, Title 67, Chapter 3, whether or not such tax is required by law to be passed on to the ultimate consumer;

Section 3. This law shall take effect on January 1, 1998, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Head moved that **House Bill No. 685**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	95
Noes	0
Present and not voting.....	1

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee,

THURSDAY, MAY 15, 1997 -- FORTY-THIRD LEGISLATIVE DAY

McMillan, Miller, Mumpower, Newton, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

Representatives present and not voting were: Brooks -- 1.

A motion to reconsider was tabled.

CHAIR TO SPEAKER

Mr. Speaker Naifeh resumed the Chair.

REGULAR CALENDAR, CONTINUED

***House Bill No. 596** -- Gas, Petroleum Products, Volatile Oils - Authorizes gas acquisition corporations to be joined by municipalities, utility districts and gas authorities Amends TCA Title 7, Chapter 39, Part 3. by *Head. (SB1034 by *Gilbert)

On motion, House Bill No. 596 was made to conform with **Senate Bill No. 1034**; the Senate Bill was substituted for the House Bill.

Rep. Head moved that Senate Bill No. 1034 be passed on third and final consideration.

On motion, Rep. U. Jones withdrew State & Local Government Committee Amendment No. 1.

On motion, Rep. Kisber withdrew Finance, Ways & Means Committee Amendment No. 1.

Rep. Head moved that **Senate Bill No. 1034** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	95
Noes	0
Present and not voting.....	1

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt,

THURSDAY, MAY 15, 1997 -- FORTY-THIRD LEGISLATIVE DAY

Rhinehart, Ridgeway, Rinks, Ritchie, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

Representatives present and not voting were: Brooks -- 1.

A motion to reconsider was tabled.

House Bill No. 1691 -- Election Laws - Revises election laws. Amends TCA Title 2, Chapters 2, 3, 4, 5, 6, 7, 10, 12, and 13; and Title 5, Chapter 1. by *Head. (*SB1771 by *Rochelle)

Rep. Head moved that House Bill No. 1691 be passed on third and final consideration.

Rep. Jones U. (Shelby) moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1691 by deleting, in the directory language of Section 26, the words, numbers and punctuation "2-4-101(a)(1)" and substituting instead the words, numbers and punctuation "2-4-102(a)(1)".

AND FURTHER AMEND by adding the following language as a new section:

SECTION 31. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Head moved that House Bill No(s). 1691 be reset for the Regular Calendar on Monday, May 19, 1997, which motion prevailed.

House Bill No. 1522 -- Local Education Agency - Permits schools director or certified physician statement to waive or reduce 30 day formal teacher leave notice requirement; requires schools director to act on request within 15 days; requires written notification of action and beginning and ending dates of leave granted. Amends TCA Title 49. by *Hood. (*SB1193 by *Ramsey)

On motion, House Bill No. 1522 was made to conform with **Senate Bill No. 1193**; the Senate Bill was substituted for the House Bill.

Rep. Hood moved that Senate Bill No. 1193 be passed on third and final consideration.

Rep. Davidson moved adoption of Education Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 1193 by inserting after the words "in accordance with board policy" in the first line of the amendatory language of Section 2 of the printed bill the words "or negotiated contract,".

On motion, Amendment No. 1 was adopted.

Rep. Davidson moved adoption of Education Committee Amendment No. 2, which motion was immediately withdrawn.

Rep. Davidson moved to reconsider action in adopting Amendment No. 1, which motion prevailed.

Rep. Davidson moved to withdraw Amendment No. 1, which motion prevailed.

Rep. Davidson moved adoption of Education Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 1193 by inserting after the words "in accordance with board policy" in the first line of the amendatory language of Section 2 of the printed bill the words and punctuation ", any negotiated contract, or applicable state or federal law".

On motion, Amendment No. 2 was adopted.

Rep. Hood moved that **Senate Bill No. 1193**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

House Bill No. 1817 -- Gas, Petroleum Products, Volatile Oils - Designates short title of TCA Title 67, Chapter 3, Part 1, as "Petroleum Products and Alternative Fuels Tax Law." Amends TCA Title 67, Chapter 3. by *Gunnels, *McDaniel, *Davis R, *Stamps. (*SB1945 by *McNally, *Atchley, *Jordan, *Koella, *Ramsey, *Carter, *Elsa, *Person, *Leatherwood, *Crowe)

On motion, House Bill No. 1817 was made to conform with **Senate Bill No. 1945**; the Senate Bill was substituted for the House Bill.

Rep. Gunnels moved that Senate Bill No. 1945 be passed on third and final consideration.

On motion, Rep. Robinson withdrew Transportation Committee Amendment No. 1 and Amendment No. 1 to 1.

Rep. Gunnels moved that **Senate Bill No. 1945** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

House Joint Resolution No. 286 -- Memorials, Public Service - Celia Ambrester. by *Cross, *Goins.

Further consideration of House Bill No. 286, previously considered on May 14, 1997, at which time it was objected to on the Consent Calendar, and reset to today's Regular Calendar.

Rep. Cross moved adoption of House Joint Resolution No. 286, with the request that all members voting aye be added as sponsors, which motion prevailed by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

***House Bill No. 442** -- Taxes, Privilege - Imposes taxes in same amount and manner as any repealed federal taxes, revenue to go to highway trust fund. Amends TCA Title 67, by *Fowlkes, *Robinson, *Rinks, *Davis R, *Huskey, *Kent, *Haley, *Turner (Shelby), *Jones U (Shelby). (SB544 by *Haun, *Haynes, *Elsea, *Henry)

Further consideration of House Bill No. 442, previously considered on today's Calendar.

Rep. Fowlkes moved that House Bill No(s). 442 be reset for the Regular Calendar on Monday, May 19, 1997, which motion prevailed.

***Senate Bill No. 913** -- Mental Retardation - Requires criminal background checks on persons employed to work with or have contact with persons with developmental disabilities. Amends TCA Section 33-1-209; Section 33-1-209; Section 38-6-114 and Section 38-6-114, by *Gilbert, *Cohen, *Person, *McNally, *Harper, *Williams. (HB1328 by *Jackson, *McMillan, *Bowers, *Odom, *DeBerry J, *Eckles, *Turner (Hamilton))

Further consideration of Senate Bill No. 913, previously considered on today's Calendar, at which time the Senate Bill was substituted for the House Bill.

Rep. Jackson moved that Senate Bill No. 913 be passed on third and final consideration.

On motion, Rep. Pruitt withdrew Committee Health & Human Resources Amendment No. 1.

Rep. Jackson moved that **Senate Bill No. 913** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 97
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

MESSAGE CALENDAR

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 600 -- Public Records - Makes confidential riot, escape and emergency transport plans of county jails and workhouses Amends TCA Section 10-7-504. by *Westmoreland, *McDonald, *Mumpower, *Godsey, *Bird, *Cole (Dyer). (*SB795 by *Henry, *Ramsey, *Crutchfield)

Senate Amendment No. 3

AMEND House Bill No. 600 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

Rep. Westmoreland moved that the House concur in Senate Amendment(s) No(s). 3 to **House Bill No. 600**, which motion prevailed by the following vote:

Ayes..... 96
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs,

THURSDAY, MAY 15, 1997 -- FORTY-THIRD LEGISLATIVE DAY

Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 1025 -- Public Property - With respect to public property for the sale of confiscated alcoholic beverages, requires notice of sale be posted in three instead of two public places as required in present law. Amends TCA Title 12. by *Buck. (*SB813 by *Rochelle)

Senate Amendment No. 2

AMEND House Bill No. 1025 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 12-2-403, is amended by adding the following new subdivision to subsection (c):

(3) A member of the general assembly may purchase office furniture, equipment, or other personal property for use in the home district legislative office of such member if such furniture, equipment or property has been declared surplus and classified by the commissioner for disposal pursuant to procedures established in

Section 12-2-407 for sales to governmental entities.

SECTION 2. A member of the general assembly may purchase through the office of legislative administration computer equipment for legislative use which is the same as or compatible with the computer hardware or software installed or used by legislative information systems for the general assembly. The cost of any purchases made pursuant to this section shall be borne by the member of the general assembly requesting the purchase of such items. The office of legislative information systems is authorized to install and maintain, at its office in Nashville, such computer programs and equipment purchased by the member for legislative use.

SECTION 3. This act shall take effect on becoming a law, the public welfare requiring it.

Rep. Buck moved that the House non-concur in Senate Amendment(s) No(s). 2 to **House Bill No. 1025**, which motion prevailed.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 1052 -- Domestic Violence - Permits court ordered mediation where order of protection in effect or where allegation of domestic violence but order of protection not in effect if victim requests mediation, mediator is certified and advocate for victim may be present Amends TCA Title 36. by *McMillan, *Eckles, *Chumney, *Turner (Hamilton), *Pleasant, *Haley, *Hargett, *Patton, *Ford S, *Jackson. (*SB793 by *Burks, *Cohen, *Davis L, *Dixon, *Crowe, *Harper)

Senate Amendment No. 1

AMEND House Bill No. 1052 by deleting from the amendatory language of Sections 1, 2 and 3 the following:

or if there is an allegation of domestic or family violence and an order of protection issued in or recognized by this state is not in effect,

and by substituting instead the following:

or if there is a court finding of domestic abuse or any criminal conviction involving domestic abuse,

Senate Amendment No. 1 to Senate Amendment No.1

AMEND House Bill No. 1052 by deleting the words and punctuation "or any criminal conviction involving domestic abuse," and by substituting instead the following:

or any criminal conviction involving domestic abuse within the marriage which is the subject of the proceeding for divorce or separate support and maintenance,

Senate Amendment No. 2

AMEND House Bill No. 1052 by deleting from Sections 1(a), 2(a) and 3(a) the words "Mediation is requested by the victim" and by substituting instead the following:

Mediation is agreed to by the victim

Rep. McMillan moved that the House concur in Senate Amendment(s) No(s). 1, as amended, and 2 to **House Bill No. 1052**, which motion prevailed by the following vote:

Ayes..... 97
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

Senate Amendment No. 3

AMEND House Bill No. 1052 insert the word "uncompensated" before the word "advocate" in Section 3 paragraph (c)

Rep. McMillan moved that the House non-concur in Senate Amendment(s) No(s). 3 to **House Bill No. 1052**

UNFINISHED BUSINESS

MESSAGE FROM THE SENATE
May 15, 1997

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 132. The Senate lifted the tabling motion; reconsidered the resolution; reconsidered Amendment No. 1, adopted Amendment No. 1 to Amendment No. 1; then adopted Amendment 1, as amended, and then adopted the Resolution, as amended.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

RULES SUSPENDED

Rep. Boner moved to suspend the Rules to act on the Senate message to House Resolution No. 132, which motion prevailed.

HOUSE ACTION ON SENATE MESSAGE

House Joint Resolution No. 132 -- Memorials, Recognition and Thanks - March for Jesus. by *Boner, *Garrett, *Pruitt, *Langster, *Robinson, *West, *Odom, *Arriola, *Jones, S., *Halteman Harwell, *Hargrove.

Senate Amendment No. 1

AMEND House Joint Resolution No. 132 Whereas, it is appropriate that the General Assembly recognize those events that provide spiritual enhancement to the community; and

Whereas, freedom of religion and the right to worship are some of our nation's most fundamental principles; and

Whereas, based on these principles, the 1997 March for Jesus will be held on May 17, 1997 in Nashville; and

Whereas, the 1997 March for Jesus is an international event when persons of different nations, church backgrounds and cultures come together to pray for cities and nations; and

Whereas, the purpose of the March for Jesus is for the participants to publicly proclaim their beliefs beyond the church walls; and

Whereas, the March for Jesus praise processions are a growing grassroots expression of Christian principles; and

Whereas, the March for Jesus creates a climate for evangelism and helps build strong relationships and unity among churches; and

Be it resolved by the House of Representatives of the One Hundredth General Assembly of the State of Tennessee, the Senate concurring, that we hereby recognize the 1997 March for Jesus event and express our wish that this event have success in the future.

Senate Amendment No. 1 to Senate Amendment No. 1

AMEND House Joint Resolution No. 132 by deleting the last two "Whereas" clauses.

AND FURTHER AMEND by deleting the language "and express our wish that this event have success in the future" from the last paragraph.

The new resolution will read as follows:

WHEREAS, It is appropriate that the General Assembly recognize those events that provide spiritual enhancement to the community; and

WHEREAS, Freedom of religion and the right to worship are some of our nation's most fundamental principles; and

WHEREAS, The 1997 March for Jesus is an international event when persons of different nations, church backgrounds and cultures come together to pray for cities and nations; and

WHEREAS, The purpose of the March for Jesus is for the participants to publicly proclaim their beliefs beyond the church walls; and

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ONE-HUNDRETH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, That we hereby recognize the 1997 March for Jesus event.

Rep. Boner moved that the House concur in Senate Amendment(s) No(s). 1, as amended, to **House Joint Resolution No. 132**, which motion prevailed by the following vote:

Ayes..... 97
Noes..... 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE
May 15, 1997

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 848. The Senate refused to recede from its action in adopting Amendment No. 3; then lifted the tabling motion and reconsidered the bill; reconsidered Amendment No(s). 5 and 9; withdrew Amendment No(s). 5 and 9 and repassed the bill, as amended.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE
May 15, 1997

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 94; substituted for Senate Bill(s) on the same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

May 15, 1997

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 838; substituted for Senate Bill(s) on the same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

May 15, 1997

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1791; substituted for Senate Bill(s) on the same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

NOTICE TO ACT ON SENATE MESSAGES

Pursuant to Rule No. 59, notice was given that the following measure(s) from the Senate would be considered on Monday, May 19, 1997:

House Bill No. 94: by Rep. Haley

House Bill No. 848: by Rep. Turner

House Bill No. 838: by Rep. Walley

House Bill No. 1791: by Rep. McDonald

House Bill No. 1218: by Rep. McDaniel

House Bill No. 215: by Rep. Stulce

House Bill No. 273: by Rep. Buck

House Bill No. 1075: by Rep. Rinks

House Bill No. 665: by Rep. Bowers

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 182: Rep(s). S. Jones as prime sponsor(s).

House Bill No. 230: Rep(s). Brooks as prime sponsor(s).

THURSDAY, MAY 15, 1997 -- FORTY-THIRD LEGISLATIVE DAY

House Bill No. 370: Rep(s). McMillan, Buck Jackson, Hargrove, Sands, Ritchie, Westmoreland, Newton and Naifeh as prime sponsor(s).

House Bill No. 1207: Rep(s). Brown and Brooks as prime sponsor(s).

House Bill No. 1307: Rep(s). Robinson as prime sponsor(s).

House Bill No. 1513: Rep(s). Brooks as prime sponsor(s).

SIGNED

May 15, 1997

The Speaker signed the following: Senate Bill(s) No(s). 16, 165, 279, 329, 340, 421, 433, 509, 525, 566, 606, 688, 834, 1059, 1340, 1530, 1565 and 1649; also, Senate Joint Resolution(s) No(s). 206, 213, 215, 218, 220 and 221.

MESSAGE FROM THE SENATE

May 15, 1997

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 671; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

May 15, 1997

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 290; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

ENGROSSED BILLS

May 15, 1997

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 211, 312, 320, 390, 685, 990, 1239, 1435, 1755, 1839 and 1909, also, House Joint Resolution(s) No(s). 142, 299, 302, 303, 304 and 305.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

May 15, 1997

MR. SPEAKER: I am directed by the Senate to request the return of House Bill(s) No(s). 1904, for further consideration.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

ENROLLED BILLS

May 15, 1997

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 300, 1495, 1967 and 1993, also, House Joint Resolution(s) No(s). 131.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

May 15, 1997

The Speaker signed the following: House Bill(s) No(s). 300, 1495, 1967 and 1993; House Joint Resolution(s) No(s). 131.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ENROLLED BILLS

May 15, 1997

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 132; also, House Resolution(s) No(s). 69, 78 and 80.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

May 15, 1997

The Speaker signed the following: House Joint Resolution(s) No(s). 132; also, House Resolution(s) No(s). 69, 78 and 80.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ENGROSSED BILLS

May 15, 1997

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 286.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

May 15, 1997

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 230; adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

***Senate Joint Resolution No. 230** -- General Assembly, Directed Studies - Establishes forest management advisory panel. by *Gilbert.

THURSDAY, MAY 15, 1997 -- FORTY-THIRD LEGISLATIVE DAY

MESSAGE FROM THE SENATE

May 15, 1997

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 426, 626, 926 and 1375; all passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

***Senate Bill No. 426** -- Motor Vehicles - Prohibits use of red flashing lights or red lights in combination with blue lights by anyone but full time or volunteer firefighter Amends TCA Title 55, Chapter 9. by *Dixon.

***Senate Bill No. 626** -- Real Estate Agents and Brokers - Enacts "Commercial Real Estate Broker Protection Act." Amends TCA Title 62. by *Davis L.

Senate Bill No. 926 -- DUI/DWI Offenses - Removes defense that defendant not notified of enhancement provisions for subsequent convictions at time of first or previous conviction. Amends TCA Title 55, Chapter 10, Part 4. by *Miller J.

***Senate Bill No. 1375** -- Workers' Compensation - Requires workers' compensation carrier to obtain settling litigant's release of all related tort claims against employer or assume liability for such claims Amends TCA Title 50, Chapter 6, Part 4 and Title 56. by *Wilder.

MESSAGE FROM THE GOVERNOR

May 15, 1997

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 345, 622, 810, 1106 and 1165, also, House Joint Resolution(s) No(s). 251; with his approval.

COURTNEY PEARRE, Counsel to the Governor.

MESSAGE FROM THE SENATE

May 15, 1997

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 132; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

REPORT OF CHIEF ENROSSING CLERK

May 15, 1997

The following bill(s) have been transmitted to the Governor for his action: House Joint Resolution(s) No(s). 132.

BETTY KAY FRANCIS, Chief Enrossing Clerk.

MESSAGE FROM THE SENATE

May 15, 1997

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 736, 768, 886, 1281, 1343, 1368, 1369, 1718 and 1818; also, Senate Joint Resolution(s) No(s). 129, 245, 249, 252, 253, 254, 255, 268, 269, 270 and 273 for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

May 15, 1997

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 300, 1495, 1967 and 1993; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

May 15, 1997

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 131, 241, 243, 245, 246, 247, 249, 250, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 266, 267, 268, 269, 270, 271, 273, 274, 275, 276 and 277; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

REPORT OF DELAYED BILLS COMMITTEE

March 15, 1997

Pursuant to **Rule No. 77**, we the undersigned members of the Delayed Bills Committee have approved the following bill(s) to be introduced: House Bill(s) No(s). 1996.

Jimmy Naifeh, Speaker
Jere Hargrove
Steve McDaniel

CONSENT CALENDAR

May 15, 1997

The following local bills have been placed on the Consent Calendar for **May 19, 1997**: House Bill(s) No(s). 1950, 1997, 1998, 1999, 2000, 2002, 2003, 2004, 2007, 2008, 2009 and 2010.

ROLL CALL

The roll call was taken with the following results:

Present 97

Representatives present were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

RECESS MOTION

On motion of Rep. Hargrove, the House recessed until 5:00 p.m., Monday, May 19, 1997.